

# Exhibit 11

May 14, 2024

Honorable Pamela K. Chen  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Dear Judge Chen:

I would first like to thank Your Honor for taking the time to review my letter. I also never imagined there would be a day that I would need or have a desire to write this letter to you. I say that because of the person that I know and have always known my uncle Michael (Mike) McMahon to be. When I think of my Uncle Mike, there are so many positive emotions, memories, and an unmeasurable amount of love that comes to mind. It would be impossible to capture and represent who Mike McMahon is to me in a simple letter. Therefore, I would like to focus on the impact his legal case has had on our family and the harm that would come from a potential prison sentence.

Mike McMahon is a father, a hero, a provider, a genuine human being, and a person that I have looked up to my entire life. Growing up I looked up to Mike in so many ways, more ways than I could simply express in a few pages. When I think about the McMahon family, I think about stability, love, support, and consistency. I have viewed first-hand the devastation this case has put on the McMahon family as well as our extended family. As I sat in Your Honor's courtroom last year, listening to the case presented against Mike, and his being wrongfully convicted, it was devastating. I say that because not only was it difficult to hear such an amazing person, father, and hero's character be attacked, but I understood the psychological impact this case had and will potentially continue to have if Mike is sentenced to any amount of time in prison. I would like to share with you why I understand this impact so well.

As it is well known, Mike was a proud member of the NYPD. I have fond memories of Mike discussing his time in the NYPD, even as a young child. I remember always thinking to myself. "Wow, I want to be just like Uncle Mike when I grow up." Although my path today looks a bit different than my childhood aspirations, I am now a forensic psychologist working with a similar population. As I sat in Your Honor's courtroom, I sat there as a supportive family

member but also as a forensic psychologist. A forensic psychologist who works with incarcerated individuals and I have an understanding of the impact this case will forever have on my family.

Research indicates the psychological impact of segregation often known as protective custody is irreversible on a person's mental health and a serious indicator of future mental illness. Some research has gone as far as to label it "psychological torture." This phenomenon is supported by the changes in state-level law regarding serious mental illness in state-level prisons. It is my professional opinion, as supported by empirical research, that should Mike be sentenced to any amount of prison time, he will suffer additional damaging emotional and mental harm. As a retired police officer and due to the public nature of his legal case, it is more than likely Mike will not be able to serve any of his potential sentence in a general population setting.

Rather, he will be constricted to potentially serve his time with limited access to an already redistricted environment. Often segregation or protective housing has been described as "safer physically", however, physical safety is not fully indicative of an overall feeling of safety. Rather, spending much of your day, for potentially many years, locked in a cell with limited resources and limited access to reality is not only harmful but potentially deadly. Research indicates that there are also high rates of suicidality in segregated settings versus general population settings. Overall, the psychological impact of protective custody/segregation, which is the only likely outcome of a hero police officer being incarcerated, and being wrongfully convicted of a crime against the country he risked his life for during his time at the NYPD, would be devastating to not only Mike's physical, mental and emotional health but also potentially all of his loved ones should he be wrongly incarcerated.

Respectfully,



Rachel Hennig, Psy.D.